State Noxious Weed Advisory Committee Meeting Thursday, January 27, 2011 Colorado Department of Agriculture 700 Kipling Street, Lakewood

The meeting was called to order by Chair Susan Panjabi at 10:00AM.

Members in attendance: Steve Anthony, Jimmy Dunn, Ben Duke, Sheila Grother, Ken Harper, Don Hijar, Susan Johnson, Jay Jutten, Phyllis Lake, Randy Malcom, Fred Midcap, Scott Nissen, Susan Panjabi, Terri Schulz, Karen Scopel

Staff present: Colorado Department of Agriculture (CDA) representatives: Crystal Andrews, Eric Lane, Maurina Paradise, and Steve Ryder.

Jim Walker, Colorado Department of Transportation (CDOT)

Guests: Alicia Doran, Angela Medbery

- 1. Introductions and opening comments:
 - a. Susan welcomed everyone and roundtable introductions followed.
- 2. Review agenda-call for additions/corrections:
 - a. No changes were made to the agenda.
- 3. Review minutes of the November 17, 2010 meeting.
 - a. There were 5 changes to the draft minutes.
 - b. Karen moved to approve the minutes with the changes, Terri seconded, seeing no discussion motion went to vote, all in favor, motion carries.

4. Public comment:

- a. Alicia Doran, Jefferson County Noxious Weed Coordinator. Alicia came to discuss two topics: Myrtle Spurge and *The Noxious Weeds of Colorado* booklet published by the Colorado Weed Management Association.
- b. Myrtle Spurge: Alicia talked to the Committee about the List A species myrtle spurge. Alicia feels that myrtle spurge should be down listed to a List B species with the emphasis on containment not eradication. Alicia gave the Committee maps and handouts on myrtle spurge. The first map was the CDA quarter quad survey map that indicated that there are an estimated 465 acres of myrtle spurge in Colorado. The second map was also the quarter quad but had an overlay showing the range of myrtle spurge. Alicia then presented a table, *Myrtle Spurge Location Information.* The table listed 10 Colorado counties, their population, area, number of myrtle spurge sites, and a map showing the counties location in

Colorado. The table was based on an informal survey have county weed managers. The total number of myrtle spurge indicated by the respondents was 3923 sites in Colorado. Anyone interested in Alicia's handouts may contact her at adoran@co.jefferson.co.us. There was considerable discussion that followed regarding both sides of the Myrtle Spurge issue pertaining to keeping it as a List A, or moving to List B.

Some of the comments for delisting were:

- Consider practicality and geography, is eradication feasible considering costs and lack of political support for eradication.
- When evaluating List A species, consider not just the total of acres but the number of properties (landowner contacts) and distribution.
- Municipalities have a low participation rate and lack resources to manage MS.
- Enforcement actions are time consuming for small amount of plants on a high number of properties.

Comments for keeping MS as a List A species were:

- Terri asked if there ever would be a scenario, in consideration of the challenges of weed management in a municipal setting, where there should be an urban List A species? Alicia replied that Purple Loosestrife is an appropriate List A species.
- Scott stated that Myrtle Spurge is not difficult to manage; better products have given hope that eradication is doable.

General comments were:

- Steve Ryder discussed the Colorado Agriculture Commission's rulemaking process and that if MS were recommended for down listing now, it could be an issue regarding giving the public sufficient time for input and comment.
- Crystal stated that the 465 acres of Myrtle Spurge indicated by the CDA Quarter Quad maps is on the end of the List A species in terms if area infested.

 (Note: Crystal later corrected this statement, see Item#14)
- Don stated that when a plant is a List A it needs to be eradicated, however there are
 issues when trying to eradicate any species. Don asked if we could make a decision
 regarding the listing status of Myrtle Spurge at the present time.
- Susan said that we will try and get to it later in the agenda if time allows.
- c. The Noxious Weeds of Colorado. Alicia is the project coordinator of the Colorado Weed Management Associations' noxious weed identification book. With the possibility of the List A, B, C species changing and the new Watch List, the book may need to expand as it has always reflected the State's current noxious weed list. Alicia stated that the expansion could add 15 to 20K in additional costs. Alicia explained how the book sales work, that primarily counties and organizations purchase the books from CWMA in quantities and then distribute them. Alicia asked Eric about the Weed Fund and if it could be a potential source of funding for the revised book. Eric said he was uncertain and would have to see how the new commissioner would look at funding this type of project. Susan Johnson asked Alicia about the deadline for funding; Alicia responded that she'd like to have an idea of the book's budget by mid-summer of 2011. Susan Panjabi referred the matter to the

Education and Outreach Subcommittee for discussion later in the day during the subcommittee breakout session.

- 5. List A & List B species update and mapping needs
 - a. Steve Ryder presented a PowerPoint summary of the List A and List B species in Colorado.
 - b. Species Update:
 - Rush skeletonweed has been found in Boulder County, just a few plants so far, it was previously undetected in Colorado.
 - Cypress spurge may not be as invasive as previously thought.
 - Yellow starthistle, orange hawkweed, and purple loosestrife were discussed in detail. Progress has been made statewide on Purple Loosestrife.
 - c. Mapping-Steve presented a draft of the *Online Statewide Noxious Weed Mapping System*. The goals are:
 - Develop an online statewide noxious weed mapping system that provides a means for the public to participate in early detection efforts.
 - Facilitate successful eradication of List A species and eradicable List B species.
 - Provide local governments, land management agencies, and other partners with a platform to capture, store, and share distribution data.
 - Create a digital version of the Quarter quad mapping system for statewide planning Further details discussed were:
 - Common attributes
 - Early detection component
 - Eradication component
 - Quarter quad component
 - Common platform component
 - Implementation needs-appropriate training for each system use.

d. Comments:

- Eric stated that the point behind the proposed mapping system isn't to create more
 work, but to develop an information exchange system and to develop an online
 platform where eradicable species information may be exchanged.
- Randy asked if Canada Thistle had been mapped as it is the most economically damaging weed to agriculture. Crystal replied that a management plan hasn't been developed yet for Canada thistle so quarter quad mapping information is based on voluntary information.
- "iMaps" may be possible in the future. Susan Panjabi suggested checking into some nationally used programs to increase accuracy and level of information gathered and to submit that into a central suppository of information.
- Karen mentioned that municipalities need reminders to report noxious weeds and that often there is a disconnect between them and the reporting process. Steve Anthony concurred and said that while many counties work cooperatively with municipalities, not all of them do work together.

6. Rulemaking process for 2011

a. Steve Ryder discussed the 2011 Rulemaking process for the Rules Pertaining to the
 Administration and Enforcement of the Colorado Noxious Weed Act (8 CCR 1206-2).
 To review how the process works for eradicable List B species, he used the example of Leafy
 Spurge and showed maps of Adams County that illustrated lines of containment,
 suppression and eradication.

The proposed amendment will incorporate

- The listing changes that the State Noxious Weed Advisory Committee has been working on.
- List B management plans (Common teasel, Cutleaf teasel, Dame's Rocket, Jointed Goatgrass, Moth Mullein).
- New Watch List species
- Updates and housecleaning

The tentative timetable for the rulemaking process is:

- April 1, 2011-submit draft rule to Colorado Agriculture Commission
- April 25-Public notice published
- May 16-31 (timeframe) CAC Hearing
- June 14 CAC meeting
- July 30-Rule becomes effective

7. Yellow/White Sweetclover letter-

a. The committee discussed a recipient list the Yellow/White Sweetclover cautionary letter authored by Terri Schulz. The recipients are a list of agencies, organizations, and individuals that may have an interest in land stewardship. The Committee came up with the following: Colorado Department of Transportation, US Natural Resources Conservation Service, US Bureau of Land Management, US Forest Service, US Fish & Wildlife Service, Colorado Division of Wildlife (CDOW), CDOW Habitat Partnership Program, Pheasants Forever, Colorado Association of Conservation Districts, Colorado Division of Reclamation, Mining, and Safety, Colorado State Parks, Colorado Oil and Gas Conservation Commission, Colorado Municipal League, Colorado Open Space Alliance, Rocky Mountain Farmers Union, Colorado Farm Bureau, Colorado Beekeepers, Colorado Coalition of Land Trusts, Colorado State Land Board, Colorado State Forest Service, Colorado Counties Incorporated.

8. Watch list discussion and recommendation

- a. Watch list language. Crystal led the discussion; she had a handout that reviewed Vermont and New Mexcio.
- b. Vermont Watch List key points:
 - Non-native only
 - Invasive potential based on behavior in surrounding states
 - Distribution unclear in Vermont

- Encourages public to observe, assess and report where species occur and rate of spread
- No regulatory force
- Invaders to natural habitat are the focus, agricultural and disturbance area weeds are not included

c. New Mexico key points:

- Watch lists species are species of concern
- Have potential to become problematic
- More data needed to determine if species could be listed
- Public encouraged to document location and contact appropriate jurisdiction

d. Colorado Watch List key points:

- Non-native only
- Invasive potential based on Plant Assessment Form (PAF) and committee recommendation
- Distribution and abundance unclear or unknown in Colorado
- Encourages public to observe, assess and report where species occur and rate of spread
- Included in Noxious Weed Law as advisory list, non-regulatory will be emphasized, species will be listed by common and Latin name.
- Reporting to CDA will be encouraged
- Species impacting agricultural lands as well as natural areas will be covered

e. Comments:

- Scott asked how prospective new plants would get on the Watch List since they
 would need a PAF done prior to Watch List consideration. Crystal replied that there
 does have to be a scientific process of plant assessment, once a species is brought
 to the Department's attention it will need to be determined through the PAF
 process and Committee Review if it should be placed on the Watch List.
- Susan Panjabi mentioned that there are over 1000 non-native plant species in Colorado. Don followed up by stating that we can't do all non-native species or even afford to do the PAF's for them. Steve Anthony asked the group what definition of "non-native" are we using? The consensus was that "non-native" should refer to a species being non-native to Colorado.
- Sheila asked if the Watch List would be part of the rule making process. Crystal stated, that yes it would, even though the Watch List is non-regulatory it will be part of the rule making process. The issue with being a part of the rules is that there will be a lag time between identifying a plant as a potential Watch List candidate and actually placing it on the list. Sheila asked if plants in adjacent states would be looked at, Crystal replied that we shouldn't limit our focus to just our neighbors since transportation vectors in non-neighboring states with similar habitats would be a concern as well. Scott stated that if it is invasive anywhere it should be a criteria for Watch List consideration.

f. Wrap-up: Steve Ryder and Crystal will work on the Watch List language and circulate to the Committee for approval prior to including into rule submission for 2011.

9. Subcommittee Updates:

- a. The current subcommittees are: Executive, Weed Science and Management, Site-led, Funding & Policy, Communication & Education, and Early Detection & Rapid Response. Susan Panjabi asked the 5 subcommittees to meet into 2 larger groups and to report back. The groups met for 30 minute, Group 1 was Site-led, Science and EDRR. Group 2 was Funding & Policy and Communication/Education. The subcommittee reports are as follows:
- b. Science: Scott discussed PAF's done by Colorado State University for the Department of Agriculture. He said CSU with minimal funding could do 3-5 PAFs per year. He said the role of the Science subcommittee is to support EDRR efforts. There is a concern with the spread of African Rue in Colorado, in New Mexico it appears to primarily infest highly disturbed areas, here in Colorado it is being detected in minimally disturbed sites.
- c. Site-led: Susan Panjabi said a Site-led related checklist should be available to grant reviewers to help determine which projects to fund. Mapping high priority areas would be ideal however it is complicated and can't be done at this time.
- d. Communication/Education: Karen reported that the group would like to revise the Weed Wise packet. The Weed Wise packet was a three ring binder notebook designed and produced by CWMA about 10 years ago. The binder contains noxious weed information including photos, factsheets, identification information and a CD. The target audience was decision makers new in their respective positions. Karen stated that a new template for a revised WW needs to be developed. Randy mentioned that the information should be a motivator for stakeholders. It was suggested that the new WW include assessment information so that the uninitiated could get a sense for how plants get classified as noxious. Karen mentioned that identifying key partners/stakeholders is an integral part of the process.
- e. Funding & Policy: Sheila and Steve Anthony discussed Colorado's real estate disclosure form. The section on noxious weeds is outdated and a draft rewrite has been done by the State Weed Advisory Committee. Steve Ryder has talked to the Colorado Real Estate Commission and the CERC will be considering the language changes in the future.
- f. EDRR: Crystal mentioned the need to develop a strategic plan, a good start may be a National EDRR system. A good starting point will be for the EDRR committee to outline a work plan and start filling it in.

10. Legislative issues: Eric highlighted the following:

a. Biofuels and noxious weeds-The CDA and the Colorado Division of were approached by State Representative Jeanne Labuda in December to use the Noxious Weed Act to regulate the biofuels industry, this has been brought up by the Union of Concerned Scientists. This may be hard do quickly, Eric said, and that it wasn't a good idea to try to throw something together and send it to a legislative committee at the beginning of the session.

- b. Weed free gravel-CWMA is pushing for this. The idea has merit but it may be difficult to run this session. The Colorado Division of Reclamation, Mining, & Safety will play a key role in this in the future. Eric emphasized that it is important to build a constituency in advance of the legislative session.
- c. State budget The State will have to cut \$1 billion from the budget this year. Agriculture, as an industry in Colorado is in the top 2 or 3; however the budget of the CDA is .5% of the State's total budget.
- d. Weed Fund New Agriculture Commissioner reconfirmed that 200K will be allotted to the Fund in 2011.

11. State Weed Coordinator Report - Steve Ryder discussed the following:

- a. Weed Fund Following up on Eric's earlier comments, the Private Forestry Fund and the State Weed Fund will be combined in one Request for Proposal (RFP), both funds will have approximately 200k in them each, bringing the total to 400K.
- b. Site-led approach Steve mentioned that he is currently editing the committee's findings and results.
- c. Real estate disclosure form As mentioned earlier in the Funding/Policy report, Steve stated that he is working with the Colorado Real Estate Commission on this.

12. Meeting dates for 2011

Tentative plans were made for a May 18/19 meeting and field trip to be held in or near San Miguel County with possible locations being Norwood, Telluride, or Gateway.

The August meeting will be in Boulder County and will consist of a meeting and field trip to look at the Spruce Gulch spotted knapweed project. Tentative dates are August 17/18 with the specific details to be determined. The meeting will be in Terri's TNC office.

Update:

May 18 Field Trip Norwood, 9:00AM to 3:00PM, San Miguel County Building, Norwood May 19 SWAC Meeting Norwood, 9:00AM to 2:00PM, Norwood Fire House

Lodging: Backcountry Inn, Norwood 970-327-4232

Back Narrows Inn, Norwood 970-327-4417 Please make your own arrangements.

Mention that you are with CDA-State Weed Advisory

Committee for government rate. Please consider sharing a

room as space is limited.

Expenses: CDA can assist with some lodging and will assist with dinner

on the 18th (\$12-\$15 each). Sheila has arranged to have our

two lunches donated-Thank you Sheila!

August 17 SWAC Meeting Boulder TNC office August 18 Field Trip Spruce Gulch October 26 SWAC Meeting CDA office Lakewood

- 13. Announcements Susan Panjabi asked if anyone had any announcements before the Committee discussed the last item of the day the Myrtle Spurge listing issue.
 - a. Conservation Reserve Program (CRP) Don Hijar had a few points to mention in regards to CRP. (Note: The CRP provides technical and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands in an environmentally beneficial and cost effective manner). The nationwide goal is to get 32 million acres enrolled in the program nationwide. Currently Colorado is 2nd in the nation with 790,000 acres in the program. Yellow sweetclover is being used in the program. Biologists are working on mixes that do not contain any non-native species and would use native species including native clovers. The current costs per acre are around \$100. Biologists are trying to get the costs down to \$35 per acre. Currently the payment is around \$30/acre.
 - b. Thistles of Colorado Guide Susan Panjabi reported that this project is nearing completion. It is a guidebook to thistle species found in Colorado, both introduced and native. Fifteen species are native and five are introduced.
- 14. Consideration of Listing Status of Myrtle Spurge Susan Panjabi opened up the discussion.
 - a. Comments:
 - Susan stated that with 465 acres of Myrtle Spurge listed on the State Inventory that
 it is in the lower range in terms of quantity of List A species as per an earlier
 statement by Crystal. Crystal corrected that statement, saying that at 465 acres,
 Myrtle Spurge was at the higher end of area infested in comparison to the other List
 A species. Susan followed by saying that she estimates that 50% to 75% of
 occurrences are issues in flower beds or landscape type situations.
 - Steve Anthony commented that if Myrtle Spurge is designated as a List B species that there will be targeted management plans for it as it moves into natural areas.
 - Terri replied that the toxicity to humans makes it an important issue to deal with in an urban setting.
 - Eric stated that Myrtle Spurge may not be as invasive as Purple Loosestrife but that there hasn't been the good faith effort to eradicate Myrtle Spurge as there has been for Purple Loosestrife. Eric raised the question, what is the best approach to make the most progress on achieving our goals of eradication? He stated that he is not prepared to suggest that Myrtle Spurge be listed to a List B species.
 - Steve Anthony mentioned that Garfield County has partnered with the City of Glenwood Springs in 2009 and 2010 to have a "Purge the Spurge" event with varying degrees of success.

b. Motion -

- Don Hijar made a motion to place Myrtle Spurge on the B List with a plan on how to manage the species.
- Eric stated that if the down listing goes through, people should be aware that the CDA will take the management plans very seriously and that occurrences in eradication zones will be expected to be eradicated.
- Don followed through with his motion, Susan Panjabi seconded it. The motion passed with a vote of 7 6.
- At this point Eric stated that there were some current enforcement issues that CDA
 is working on with the Attorney General's office in regards to a municipality. If
 Myrtle Spurge is down listed before this issue comes to a conclusion it could
 become problematic, and his preference would be to delay the State Weed
 Advisory Committee's recommendation to the Colorado Agriculture Commission to
 delist Myrtle Spurge until 2012.
- Don amended his motion to state that the State Weed Advisory Commission will recommend that Myrtle Spurge be moved to List B status in 2012 with a management plan and specific eradication zones. Ben Duke seconded the motion. The motion passed unanimously.
- 15. Adjourn Chair Susan Panjabi adjourned the meeting at 3:00pm